

# EXHIBIT D

**From:** [Alter-AI-TT@simplelists.susmangodfrey.com](mailto:Alter-AI-TT@simplelists.susmangodfrey.com) on behalf of [Geman, Rachel OpenAICopyright; openaicopyrightlitigation.lwteam@lw.com; KVPOAI@keker.com](mailto:Geman, Rachel OpenAICopyright; openaicopyrightlitigation.lwteam@lw.com; KVPOAI@keker.com)  
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**Cc:** [\[EXT\] Maya S. Lang](mailto:[EXT] Maya S. Lang)  
**Subject:** [EXT] Maya S. Lang  
**Date:** Tuesday, June 25, 2024 2:58:08 PM  
**Attachments:** [image001.gif](#)

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Counsel: Thank you for meeting and conferring last week about Ms. Lang's withdrawal from the case. We had understood you were sending some legal cases, but in the interests of bringing this to a close, we have answers to your specific questions (which are consistent with the positions taken on the call).

First, the fact that Ms. Lang is a former president of the Authors Guild is apples and oranges to her (soon-to-be) previous role as a class plaintiff. This former volunteer/non-staff role does not change the analysis under Rule 20 or the relevant case law.

We realize you recognize this, but we also do not agree Ms. Lang is an appropriate third-party witness given she was not part of AG staff. Any discovery from her in addition to the ample discovery we are producing from multiple AG custodians who (unlike Ms. Lang) are employees of the AG (which in turn is not even a plaintiff in its own capacity) would be duplicative and/or harassing.

Second, the fact that Ms. Lang is withdrawing before documents were produced does not change the analysis; in fact, it bolsters the absence of prejudice. There are more than two dozen plaintiffs. You have shown no basis effectively to penalize Ms. Lang, as would be the practical effect of her being forced to produce party documents while not being a party who stands to benefit from the lawsuit. *See e.g.*, *In re CURRENCY CONVERSION FEE ANTITRUST LITIGATION*, 2004 WL 2453927 (S.D.N.Y. Nov. 3, 2004); *Roberts v. Electrolux Home Prod., Inc.*, 2013 WL 4239050 (C.D. Cal. Aug. 14, 2013).

Given a month has passed, we are moving early next week (or sooner if you get back to us before then). Please let us know your final position by Friday.

Thank you.



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